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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,729	08/13/2003	Xiaokai NIU	4025	1728

23699 7590 03/31/2005

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EXAMINER

RAMIREZ, RAMON O

ART UNIT

PAPER NUMBER

3632

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Detailed Action

This is the second Office Action corresponding to communication filed Nov 23, 2004. The application contains 20 claims. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Election/Restrictions

Claims 12-15 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species. Election was made **without** traverse in the reply filed on Nov 23, 2004.

Drawings

Drawings filed Dec 3, 2004 has being accepted by the examiner.

Claim Rejections - 35 USC § 102

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Qui (Pat No 6,186,329). Please refer to former Office Action.

Claim Rejections - 35 USC § 103

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quin. The used of recycle or low density paper is considered to be an obvious matter of

engineering choice to those skilled in the art for protect the environment and saving natural resources; for example, trees.

Claims 2-7, and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quin in view of Braun (Pat No 5,799,797). Please refer to the former Office Action.

Allowable Subject Matter

Claims 8 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive. As to the arguments of claim 1, please note that the tube shown by Quin has multiple convolutions (see Fig 6 and Fig 7b)). The tube has an inner layer (12) and an outer layer (16) and a series of layers (14) in between, which is the middle layer. Because this middle layer comprises several layers it has to be by default thicker than the outer layers. As to the arguments of claims 2-7, and 16-20, the use of corrugated paper is considered to be a mechanical equivalent of the embossed paper. A corrugated paper shapes in wrinkles or ridges, an embossed paper raises to bosses. Both ridges and bosses are mechanical equivalent.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

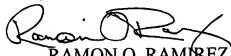
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMON O. RAMIREZ whose telephone number is (703) 308-0748 (after April 7 2005, the phone number would be (571) 272-6821). The examiner can normally be reached on MONDAY-FRIDAY, IST FRIDAY OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LESLIE BRAUN can be reached on (703) 308-2156 (after April 7, 2005, the phone number would be (571) 272-6815).

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


RAMON O. RAMIREZ
Primary Examiner
Art Unit 3632

ROR
March 21, 2005